

**IN THE UNITED STATES BANKRUPTCY COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:

Christopher Gerald Raab aka
Christopher G. Raab aka Christopher
Raab,
Debtor,

Chapter 13

Case No.: 18-17382-pmm

Christopher Gerald Raab aka Christopher G.
Raab aka Christopher Raab,
Movant,

Hearing Date: December 2, 2021
Time: 11:00 a.m.

CSMC 2021-RPL7 Trust,
Secured Creditor/Respondent,

and
Scott F. Waterman,
Trustee / Respondent

**RESPONSE TO DEBTOR’S MOTION PURSUANT TO BANKRUPTCY CODE
SECTION 363 FOR AUTHORITY TO SELL REAL ESTATE LOCATED AT 1121
COTTON STREET, READING, BERKS COUNTY, PENNSYLVANIA FREE AND
CLEAR OF LIENS AND ENCUMBRANCES AND TO PERMIT DISTRIBUTION OF
SALE PROCEEDS**

CSMC 2021-RPL7 Trust, (hereinafter “Respondent”), by and through its undersigned counsel at Milstead & Associates, LLC, responds to Debtor’s Motion Pursuant to Bankruptcy Code Section 363 for Authority to Sell Real Estate Located at 1121 Cotton Street, Reading, Berks County, Pennsylvania Free and Clear of Liens and Encumbrances and to Permit Distribution of Sale Proceeds, as follows:

1. Admitted.
2. Admitted.
3. Respondent is without sufficient information to form a belief as to the truth or falsity of the within averment and it, therefore, is deemed denied.
4. Respondent is without sufficient information to form a belief as to the truth or falsity of the within averment and it, therefore, is deemed denied.

5. Respondent is without sufficient information to form a belief as to the truth or falsity of the within averments and they, therefore, are deemed denied.

6. Respondent is without sufficient information to form a belief as to the truth or falsity of the within averments and they, therefore, are deemed denied.

7. It is admitted only that the terms so state.

8. It is admitted only that the terms so state. Respondent is without sufficient information to form a belief as to the truth or falsity of the remaining averment and it, therefore, is deemed denied.

9. It is admitted only that the terms so state. Respondent is without sufficient information to form a belief as to the truth or falsity of the remaining averments and they, therefore, are deemed denied.

10. Respondent is without sufficient information to form a belief as to the truth or falsity of the within averment and it, therefore, is deemed denied.

11. It is admitted that Respondent is fully secured by its mortgage interest in the property. Respondent is without sufficient information to form a belief as to the truth or falsity of the within averment concerning liens of other creditors and it, therefore, is deemed denied.

12. Denied

13. Respondent is without sufficient information to form a belief as to the truth or falsity of the within averments and they, therefore, are deemed denied.

i. Respondent has no objection to payment of taxes first but does object to payment of other obligations owed by Movant under the terms of the Agreement of Sale before payment of amounts secured by the mortgage.

ii. After reasonable notice of the closing date from Debtor, Respondent reserves the right to provide to Debtor with an actual payoff statement good at least to the date of closing and to receipt of the full payoff amount due as of the closing date.

WHEREFORE, the Respondent, respectfully requests that this Honorable Court enter an Order consistent with Respondent's requests that (1) other obligations owed by Movant under the terms of the Agreement of Sale be paid after payment of amounts secured by the mortgage which is prior in time and that (2) after reasonable notice of the closing date from Debtor, Respondent be given an opportunity to provide to Debtor an actual payoff statement good at least to the date of closing.

Respectfully submitted,

Milstead & Associates

Dated: November 22, 2021

BY: /s/ Lorraine Gazzara Doyle
Lorraine Gazzara Doyle, Esquire
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Marlton, NJ 08053
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Attorneys for Respondent

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CERTIFICATION OF SERVICE

Lorraine Gazzara Doyle, Esquire counsel for CSMC 2021-RPL7 Trust, hereby certifies that a copy of the Response to Debtor's Motion Pursuant to Bankruptcy Code Section 363 for Authority to Sell Real Estate was served upon the following persons via electronic transmission or by regular first-class mail, postage pre-paid on November 22, 2021, addressed as follows:

Scott F. Waterman, Trustee Chapter 13 Trustee 2901 St. Lawrence Ave. Suite 100 Reading, PA 19606 <i>via electronic transmission</i>	Shawn J. Lau, Esquire Lau & Associates 4228 St. Lawrence Avenue Reading, PA 19606 <i>via electronic transmission and regular mail</i>
Christopher Gerald Raab 253 Main St Mohnton, PA 19540-2207 <i>via regular mail</i>	

MILSTEAD & ASSOCIATES, LLC

DATED: November 22, 2021

By: /s/Lorraine Gazzara Doyle
Lorraine Gazzara Doyle, Esquire
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Attorneys for Respondent